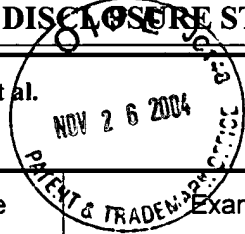




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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT				Docket No. Army176	
In Re Application Of: Nikolich et al.					
					
Application No. 10/733,691	Filing Date Dec. 11, 2003	Examiner not known	Customer No. 000041022	Group Art Unit 1653	Confirmation No. 9351
Invention: Immunogenic Compositions Including Rough Phenotype Brucella Host Strains and Complementation DNA Fragments					
<u>COMMISSIONER FOR PATENTS:</u> This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application. Check applicable statement herebelow: <div style="text-align: center; margin: 10px 0;">Statement Under 37 CFR 1.97(e)(1)</div> <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.</div> <div style="text-align: center; margin: 10px 0;">Statement Under 37 CFR 1.97(e)(2)</div> <div style="margin-left: 20px;"><input type="checkbox"/> No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.</div>					
 <div style="text-align: center;"><i>Signature</i></div>			Dated: November 23, 2004		
Marlana Titus, Reg. No. 35,843 for Elizabeth Arwine, Reg. No. 45,867 U.S. Army Medical Research and Materiel Command 504 Scott Street Fort Detrick, MD 21702 (301) 977-7227			<div style="text-align: center;">Certificate of Mailing by First Class Mail</div> <div style="border: 1px solid black; padding: 5px;"><p>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p style="text-align: center;">Nov. 23, 2004 (Date)</p><div style="text-align: center;"> <i>Signature of Person Mailing Correspondence</i></div><p style="text-align: center;">Marlana Titus <i>Typed or Printed Name of Person Mailing Correspondence</i></p></div>		
cc:					

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

NOV 26 2004

Docket Number (Optional)

Army176

Application Number

10/733,691

Applicant(s)

Nikolich et al.

Filing Date

December 11, 2003

Group Art Unit

1653

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	6,444,445	9/3/02	Nikolich et al.			

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

	B	International Search Report in parallel international application PCT/US03/39347, date of mailing August 24, 2004, 4 pages.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.